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Attorney for Cognosphere Pte. Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re DMCA Subpoena to X Corp. dba Twitter

MISC. CASE NO. 3:23-mc-80294-PHK

Judge: Hon. Peter H. Kang

**STIPULATION REGARDING
EXTENSION OF TIME TO FILE JOINT
DISCOVERY LETTER**

*[Declaration of James D. Berkley and
[Proposed] Order Filed Concurrently
Herewith]*

Pursuant to Local Rule 6-2 and this Court's Discovery Standing Order, Movant Cognosphere Pte. Ltd. ("Cognosphere") and interested party X Corp. ("X Corp.") (collectively, the "Parties") hereby stipulate as follows:

This stipulation is entered into based on the following facts.

1. On November 6, 2023, Cognosphere initiated this miscellaneous matter by filing a request with the Court for issuance of a subpoena to X Corp. pursuant to 17 U.S.C. §512(h).
2. On November 7, 2023, this Court issued the proposed subpoena, which identified a response date of November 22, 2023 (the "Subpoena").
3. On November 21, 2023, X Corp. responded to the Subpoena with written objections. Since that date the Parties have met and conferred, but the Parties have been unable to agree upon resolution regarding Cognosphere's requests to produce information.

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4. On December 18, 2023, Cognosphere made a request to X Corp. for a meeting of lead counsel pursuant to the Court's Discovery Standing Order.

5. The Parties conducted an in-person meeting on December 28, 2023. At that meeting, the Parties agreed that a resolution could not be reached without participation of the Court, and that the Parties' respective positions should be presented by joint letter as set forth in the Discovery Standing Order (the "Joint Discovery Letter").

6. As provided by the Discovery Standing Order, the Joint Discovery Letter would be due within five business days, or Friday, **January 5, 2024**.

7. The Parties believe that in light of the end-of-year holidays, the Parties' respective schedules, and the need of Cognosphere's counsel to communicate with its client overseas, it is appropriate to extend the deadline for filing the Joint Discovery Letter. The Parties thus agree to extend the deadline for filing the Joint Discovery Letter by one week and one additional business day, to Tuesday, **January 16, 2024**.

8. Good cause exists for the requested extension because it will facilitate preparation of a Joint Discovery Letter that adequately addresses the Parties' respective positions, and facilitate the Court's resolution of this matter.

9. The Parties have not sought any previous time extensions from the Court, and the proposed extension will not change any other dates or deadlines in this matter.

NOW THEREFORE, the Parties agree as follows:

Upon consent of the Court, the Parties shall file the anticipated Joint Discovery Letter on or before January 16, 2024.

DATED: January 5, 2024

RESPECTFULLY SUBMITTED,

JAMES D. BERKLEY
MITCHELL SILBERBERG & KNUPP LLP

By: /s/ James D. Berkley
James D. Berkley
Attorney for Cognosphere Pte. Ltd.

1 DATED: January 5, 2024

JON HAWK
MCDERMOTT WILL & EMERY LLP

2
3 By: /s/ Jon Hawk
4 Jon Hawk
5 Attorney for X Corp.
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7 **Attestation Regarding Signatures-Local Rule 5-1(h)(3)**

8 I, James D. Berkley, attest that all signatories listed, and on whose behalf the filing is
9 submitted, concur in the filing's content and have authorized the filing.
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11 By: /s/ James D. Berkley
12 James D. Berkley
13 Attorney for Cognosphere Pte. Ltd.
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